

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MANUEL REYO PENA GARCIA MONTERO,	)	
Petitioner,	)	
	)	
vs.	)	Civil Action No. 16-857
	)	
DEPARTMENT OF HOMELAND SECURITY,	)	
et al.,	)	
Respondents.	)	

**ORDER**

AND NOW, this 10<sup>th</sup> day of August, 2016, after the petitioner, Manuel Reyó Pena Garcia Montero, filed a petition for a writ of habeas corpus, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the petitioner a period of time after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner, and upon independent review of the petition and the record and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 7), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus filed by petitioner (ECF No. 5) is dismissed and, because reasonable jurists could not conclude that a basis for appeal exists, a certificate of appealability is denied.

IT IS FURTHER ORDERED THAT all other pending motions are DENIED AS MOOT and the Clerk of Court is directed to mark this case CLOSED.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

s/Nora Barry Fischer  
Hon. Nora Barry Fischer  
United States District Judge

cc: MANUEL REYO PENA GARCIA MONTERO  
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